



BANNER & WITCOFF, LTD.
INTELLECTUAL PROPERTY LAW

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FACSIMILE TRANSMITTAL SHEET

To:
Office of Initial Patent Examination -
Missing Parts

FROM:
Byron S. Kuzara

COMPANY:
USPTO

DATE:
July 26, 2004

FAX NUMBER:
703-746-4060

TOTAL NO. OF PAGES:
9

RE:
App. No. 10/797,600

OUR REFERENCE NO.:
005127.00270

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NAME: **Lesa Wolman**

PHONE: **503-425-6800**

COMMENTS:



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PTO/SB/97 (05-03)

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Date


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Byron S. Kuzara, #51,255

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this
certificate must identify each submitted paper.

Fee Sheet (1 page)
Submission of Missing Parts of Nonprovisional Application (2 pages)
Declaration (2 pages)
Copy of Notice to File Missing Parts of Nonprovisional Application (2 pages)

Serial No. 10/797,600
Attorney Docket No. 005127.00270

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1306

Complete If Known

Application Number 10/797,600
Filing Date 3/11/04
First Named Inventor JP Spampinato, et al.
Examiner Name TBD
Art Unit 3711
Attorney Docket No. 005127.00270

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 19-0733

Deposit Account Name Banner & Witcoff, LTD.

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Fee Code	Fee (\$)	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
	1001	770	2001	385	Utility filing fee	770	
	1002	340	2002	170	Design filing fee		
	1003	530	2003	265	Plant filing fee		
	1004	770	2004	385	Reissue filing fee		
	1005	160	2005	80	Provisional filing fee		
SUBTOTAL (1)							(\$ 770)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	33	-20**	=	13	X	18	=	234
Independent Claims	5	-3**	=	2	X	86	=	172
Multiple Dependent	0				X	280	=	0

Large Entity	Fee Code	Fee (\$)	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
	1202	18	2202	9	Claims in excess of 20		
	1201	86	2201	43	Independent claims in excess of 3		
	1203	290	2203	145	Multiple dependent claim, if not paid		
	1204	86	2204	43	** Reissue independent claims over original patent		
	1205	18	2205	9	** Reissue claims in excess of 20 and over original patent		
SUBTOTAL (2)							(\$ 406)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Fee Code	Fee (\$)	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
	1051	130	2051	65	Surcharge - late filing fee or oath	130	
	1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet		
	1053	130	1053	130	Non-English specification		
	1812	2,520	1812	2,520	For filing a request for reexamination		
	1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		
	1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action		
	1251	110	2251	55	Extension for reply within first month		
	1252	420	2252	210	Extension for reply within second month		
	1253	850	2253	475	Extension for reply within third month		
	1254	1,480	2254	740	Extension for reply within fourth month		
	1255	2,010	2255	1,005	Extension for reply within fifth month		
	1401	330	2401	165	Notice of Appeal		
	1402	330	2402	165	Filing a brief in support of an appeal		
	1403	290	2403	145	Request for oral hearing		
	1451	1,510	1451	1,510	Petition to institute a public use proceeding		
	1452	110	2452	55	Petition to revive - unavoidable		
	1453	1,330	2453	665	Petition to revive - unintentional		
	1501	1,330	2501	665	Utility issue fee (or reissue)		
	1502	480	2502	240	Design issue fee		
	1503	540	2503	320	Plant issue fee		
	1480	130	1480	130	Petitions to the Commissioner		
	1807	50	1807	50	Processing fee under 37 CFR 1.17 (a)		
	1806	180	1806	180	Submission of Information Disclosure Sheet		
	8021	40	8021	40	Recording each patent assignment per property (times number of properties)		
	1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))		
	1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))		
	1801	770	2801	385	Request for Continued Examination (RCE)		
	1802	900	1802	900	Request for expedited examination of a design application		

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 130)

SUBMITTED BY

Name (Print Type) Byron S. Kuzara Registration No. (Attorney/Agent) 51,255 Telephone 503-425-6800
Signature *Byron S. Kuzara* Date 7/26/04

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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Respectfully submitted,

By: Byron S. Kazara
Byron S. Kazara
Registration Number 51,255
Banner & Witcoff, Ltd.

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application Of:)	Att.: Box Missing Parts
)	
JP SPAMPINATO, et al.)	Group Art Unit: 3711
)	
Serial No. 10/797,600)	Examiner: TBD
)	
Filed: March 11, 2004)	Docket No. 005127.00270
)	
For: TESTING APPARATUS)	

SUBMISSION OF MISSING PARTS OF NONPROVISIONAL APPLICATION

Commissioner for Patents
Alexandria, VA 22313

Sir:

Pursuant to the Notice to File Missing Parts of Application dated May 27, 2004, Applicants hereby submit their executed Declaration in the above Application. The Commissioner is hereby authorized to charge deposit account 19-0733 for a total of \$1,306.00, which includes the basic filing fee of \$770.00, \$234.00 for 13 claims over 20, \$172.00 for 2 independent claims over 3, and the \$130.00 surcharge as set forth in 37 C.F.R. §1.16(e). Should any additional fees be necessary, the Commissioner is authorized to charge the cost of the additional fees to deposit account 19-0733.

The submission of these missing parts is timely filed by virtue of their filing by facsimile on July 26, 2004. However, should any additional extension or fee be required for the filing of these papers, such extension is requested and the Commissioner is hereby authorized to charge said fee to our Deposit Account No. 19-0733.

Respectfully submitted,

By:


Byron S. Kuzara, Registration No. 51,255

Banner & Witcoff, Ltd.
1001 G Street, N.W.
Washington, D.C. 20001-4597
Telephone: 503-425-6800

Dated: July 26, 2004



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1430
Alexandria, Virginia 22313-1430
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/797,600	03/11/2004	JP Spampinato	005127.00270

22909
BANNER & WITCOFF, LTD.
1001 G STREET, N.W.
WASHINGTON, DC 20001-4597

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JUN 01 2004

BANNER & WITCOFF

CONFIRMATION NO. 3894

FORMALITIES LETTER



OC00000012787411

Date Mailed: 05/27/2004



NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$406 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$1306 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

10797600
10797600

07/27/2004 JBALINAH 00000088 190733

770.00 DA
172.00 DA
234.00 DA
130.00 DA

01 FC:1001
02 FC:1201
03 FC:1202
04 FC:1051

- Total additional claim fee(s) for this application is \$406

- \$172 for 2 independent claims over 3.
- \$234 for 13 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*


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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE